

*AMENDMENTS TO THE CLAIMS*

This listing of claims will replace all prior versions, and listings, of claims in the application.

*Listing of Claims*

Claim 1 (currently amended). A modified monocot nucleic acid, wherein the wild type form of said monocot nucleic acid encodes a ribosomal L3 protein and wherein a host transformed with said modified nucleic acid is resistant to trichothecene mycotoxins, ~~wherein the modification is sufficient to reduce the mycotoxin binding capabilities of the encoded ribosomal L3 protein but is insufficient to destroy the function of the encoded protein as a ribosomal L3 protein~~ wherein the modification ~~is~~ encodes a single amino acid substitution of Cys for Trp at position 258 (based on the amino acid numbering of the rice ~~nucleic acid~~ protein).

Claims 2-4 (canceled).

Claim 5 (currently amended). The modified nucleic acid of claim 1, wherein the monocot nucleic acid encoding the ribosomal L3 protein nucleic acid is selected from the group consisting of: ~~a rice nucleic acid~~, a corn nucleic acid, a sorghum nucleic acid, a wheat nucleic acid, a barley nucleic acid and an oat nucleic acid.

Claim 6 (currently amended). The modified nucleic acid of claim 5, wherein the nucleic acid has a sequence which will encode the amino acid sequence selected from the group consisting of ~~SEQ ID NO:3~~, SEQ ID NO:14, SEQ ID NO:15, SEQ ID NO:16, SEQ ID NO:17 and SEQ ID NO:18, with the sequence encoding a cysteine at amino acid position 258, ~~or a functional equivalent thereof~~.

Claim 7 (previously presented). A cloning vector containing the modified monocot nucleic acid as defined in claim 1.

Claims 8-9 (canceled).

Claim 10 (currently amended). The cloning vector of claim ~~8~~ 7, wherein the monocot nucleic acid encoding the ribosomal L3 protein is selected from the group consisting of: ~~a rice nucleic acid~~, a corn nucleic acid, a sorghum nucleic acid, a wheat nucleic acid, a barley nucleic acid, and an oat nucleic acid.

Claim 11 (currently amended). The cloning vector of claim 10, wherein the nucleic acid has a sequence which will encode the amino acid sequence selected from the group consisting of ~~SEQ ID NO:3~~, SEQ ID NO:14, SEQ ID NO:15, SEQ ID NO:16, SEQ ID NO:17 and SEQ ID NO:18, with the sequence encoding a cysteine at amino acid position 258 ~~, or a functional equivalent thereof.~~

Claim 12 (previously presented). A transformed plant transformed with the modified monocot nucleic acid of claim 1, wherein said transformed plant is resistant to infection by *Fusarium* species which produce trichothecene mycotoxins.

Claims 13-14 (canceled).

Claim 15 (currently amended). The plant of claim ~~13~~ 12, wherein the nucleic acid encoding the ribosomal L3 protein is selected from the group consisting of ~~a rice nucleic acid~~, a corn nucleic acid, a sorghum nucleic acid, a wheat nucleic acid, a barley nucleic acid and an oat nucleic acid.

Claim 16 (currently amended). The plant of claim 15, wherein the nucleic acid has a sequence which will encode the amino acid sequence selected from the group consisting of ~~SEQ ID NO:3~~,

Application Serial No. 09/725,957  
Amendment Dated 20 October 2003  
Reply to Office Action of 18 April 2003

SEQ ID NO:14, SEQ ID NO:15, SEQ ID NO:16, SEQ ID NO:17 and SEQ ID NO:18, with the sequence encoding a cysteine at amino acid position 258, ~~or a functional equivalent thereof~~.

Claim 17 (previously presented). Seeds from a transformed plant as defined in claim 12.

Claims 18-19 (canceled).

Claim 20 (previously presented). Seeds from a transformed plant as defined in claim 15.

Claim 21 (previously presented). Seeds from a transformed plant as defined in claim 16.

Claim 22 (currently amended). A method of increasing resistance to *Fusarium* species infestation by transforming a ~~suitable~~ plant with the modified nucleic acid as defined in claim 1, wherein the plant transformed with said nucleic acid has increased resistance to trichothecene mycotoxins and wherein said method comprises the steps of:

providing a modified nucleic acid and

transforming a ~~suitable~~ plant with said nucleic acid;

wherein the *Fusarium* species is selected from the group consisting of *F. graminearum*, *F. sambucinum*, *F. poae*, *F. sporotrichioides*, *F. culmorum* and *F. crookwellense*.

Claim 23 (canceled).